

JAN 09 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

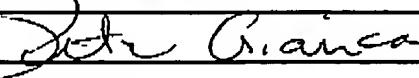
Total Number of Pages In This Submission

	Application Number	10/728,508
	Filing Date	DECEMBER 5, 2003
	First Named Inventor	POPESCU, et al.
	Art Unit	1615
	Examiner Name	R. KOSSON
Total Number of Pages In This Submission	27	Attorney Docket Number

ENCLOSURES (Check all that apply)

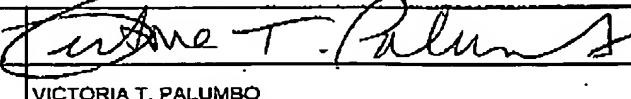
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	IDS Form PTO/SB/08A & 08B - (2 pages)
<input checked="" type="checkbox"/> Information Disclosure Statement (1 page - 2 copies)	<input type="checkbox"/> Request for Refund	Total of 5 Cited References:
	<input type="checkbox"/> CD, Number of CD(s) _____	- 1 US Non-Patent Cited Ref. (18 pages)
	<input type="checkbox"/> Landscape Table on CD	- 4 Foreign Cited Refs. (4 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	ESTEE LAUDER COMPANIES		
Signature			
Printed name	PETER GIANCANA		
Date	JAN 9, 2006	Reg. No.	44.706

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	VICTORIA T. PALUMBO	Date	1-9-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 09 2006

Attorney Docket No.: 02.36US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Inventor: POPESCU, et al.

Serial No.: 10/728,508

Group Art Unit: 1651

Filed: DECEMBER 5, 2003

Examiner: R. KOSSON

For: METHOD OF CURL RETENTION IN HAIR AND LASHES

Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references which he believes may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references exist or that a search has been conducted.

The references are listed on the enclosed Form PTO/SB/08A and SB/08B (substitute for Form 1449/PTO) which is in accordance with the requirements of M.P.E.P. 609.

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the undersigned if there are any questions concerning this paper or the attached references.

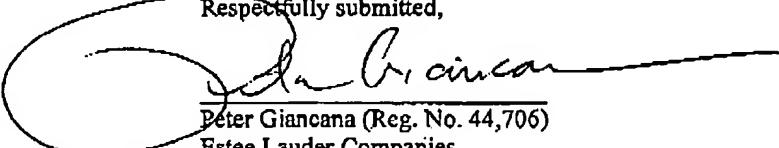
Each item of information in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

A Final Office action was mailed by the Office on September 8, 2005.

Please charge to Deposit Account No. 05-1320, the fee due under 37 C.F.R. 1.17(p). A copy of this sheet is enclosed.

Respectfully submitted,

Date: JAN 09, 2006


Peter Giancana (Reg. No. 44,706)
Estee Lauder Companies
155 Pinelawn Road
Suite 345 South
Melville, NY 11747

Attorney Docket No.: 02.36US

JAN 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Inventor: POPESCU, et al.**Serial No.:** 10/728,508**Group Art Unit:** 1651**Filed:** DECEMBER 5, 2003**Examiner:** R. KOSSON**For:** METHOD OF CURL RETENTION IN HAIR AND LASHES**Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(d)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references which he believes may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references exist or that a search has been conducted.

The references are listed on the enclosed Form PTO/SB/08A and SB/08B (substitute for Form 1449/PTO) which is in accordance with the requirements of M.P.E.P. 609.

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the undersigned if there are any questions concerning this paper or the attached references.

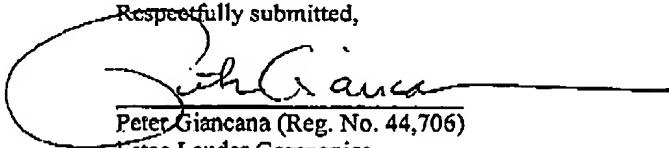
Each item of information in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

A Final Office action was mailed by the Office on September 8, 2005.

Please charge to Deposit Account No. 05-1320, the fee due under 37 C.F.R. 1.17(p). A copy of this sheet is enclosed.

Respectfully submitted,

Date: JA-9, 2006


Peter Giancana (Reg. No. 44,706)
Estee Lauder Companies
155 Pinelawn Road
Suite 345 South
Melville, NY 11747

JAN 09 2006

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
In a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/728,508
		Filing Date	DECEMBER 5, 2003
		First Named Inventor	POPESCU, et al.
		Art Unit	1651
		Examiner Name	R. KOSSON
Sheet	1	of	2
		Attorney Docket Number	02.36US

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)			
		JP 03 213574	09-18-1991		
		JP 03 095109	04-19-1991		
		JP 09 110647	04-28-1997		
		JP 03 083908	04-09-1991		

Examiner Signature _____ **Date Considered** _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

JAN 09 2006

PTO/SB/088 (07-05)

Approved for use through 07/31/2006, OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
in a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				
(Use as many sheets as necessary)				
Application Number	10/728,508			
Filing Date	DECEMBER 5, 2003			
First Named Inventor	POPESCU, et al.			
Art Unit	1615			
Examiner Name	R. KOSSON			
Sheet	2	of	2	Attorney Docket Number
				02.36US

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-------------------------------	--	----------------------------	--

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.